

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S

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The regular meeting of the City Planning Commission convened Thursday, May 15, 2003, at 1:35pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Nick Sramek, Thomas Fields, Lynn Moyer, Gregg Whelan, Charles Winn

EXCUSED: COMMISSIONERS: Charles Greenberg, Randal Hernandez

CHAIRMAN: Nick Sramek

STAFF MEMBERS PRESENT: Gene Zeller, Director
Greg Carpenter, Zoning Officer
Jerry Olivera, Advance Planning
Carolyn Bihn, Planner V
Lynette Ferenczy, Planner III
Craig Chalfant, Planner II
Jayme Mekis, Planner II
Ron Cruz, Planner I
Joe Recker, Planner I

OTHERS PRESENT: Lisa Malmsten, Deputy City Attorney
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

Commissioner Fields led the pledge of allegiance.

M I N U T E S

Commissioner Winn moved to approve the minutes of April 17, 2003 as presented. Commissioner Moyer seconded the motion, which passed 5-0. Commissioners Greenberg and Hernandez were absent.

S W E A R I N G O F W I T N E S S E S

C O N S E N T C A L E N D A R

Item 1 was removed to the Regular Agenda.

**1. Case No. 0303-26, Tentative Waived Parcel Map,
CE 03-46**

Applicant: Edward Kennedy
Subject Site: 3660 Pacific Avenue & 140 W. 37th Street
Description: Request for approval of Waived Tentative
Parcel Map No. 0303-26 for the purpose of converting two
single family homes to a two-unit condominium for
individual sales.

Removed to the Regular Agenda.

R E G U L A R A G E N D A

**1. Case No. 0303-26, Tentative Waived Parcel Map,
CE 03-46**

Applicant: Edward Kennedy
Subject Site: 3660 Pacific Avenue & 140 W. 37th Street
Description: Request for approval of Waived Tentative
Parcel Map No. 0303-26 for the purpose of converting two
single family homes to a two-unit condominium for
individual sales.

Lynette Ferenczy presented the staff report recommending approval of the request, since the project was consistent with regulations and ordinances, and would provide increased home ownership opportunities.

Ron Spede, 3660 Pacific Avenue, applicant representative and real estate agent, noted that the two homes were not attached, and that the project would allow more home ownership in the area, which would benefit the neighborhood.

Scott Olsen, 3633 Pine Avenue, resident, spoke against the proposal, saying that he didn't want a condominium in the neighborhood that might attract renters and be precedent-setting for others with similar lots.

In response to a query from Commissioner Whelan, Mr. Olsen agreed that there were already condominiums in the neighborhood,

and that he had not yet noticed a negative parking impact as a result.

David Rand, 3636 Pacific Avenue, also spoke against the project, and said he felt most residents were not in favor of the two-on-a-lot homes being turned into non-conforming condominiums. Mr. Rand also said he had collected 38 signatures on an opposing petition.

Charles Parks, 3720 Pacific Avenue, also said he was against the project because it could threaten their well-maintained neighborhood.

Paul Crawford, 3734 Pacific Avenue, expressed concern that the converted condominiums could be remodeled to be larger and more intrusive.

In response to a query from Commissioner Fields, Mr. Carpenter said that this was not a change in zoning, only approval of air space subdivision of an existing building creating the ability to sell the units separately, and that in fact the area had been downzoned from R2 to single-family residential. Mr. Carpenter further stated that if the proposed units were ever removed, they would lose their non-conforming status, and that any expansions were limited to 450 sq.ft. per unit.

Commissioner Winn commented that in his experience, neighbors welcomed condominium development because it attracted owners as opposed to renters. Mr. Winn added that he was confused by the neighbors' opposition to the project, since this was merely an air space division, not a land subdivision, and that the City was always trying to add to the stock of affordable housing.

Commissioner Moyer agreed that single condominium home ownership was not a detriment to the area, and she moved to approve the Waived Tentative Parcel No. 0303-26, subject to conditions.

Commissioner Winn added that he thought these two houses would never have a single owner anyhow, and that by allowing condominium ownership, it would eliminate one of the two rental units.

Commissioner Winn then seconded the motion, which passed 5-0. Commissioners Greenberg and Hernandez were absent.

C O N T I N U E D I T E M S

2. Case No. 0301-03, Conditional Use Permit, CE 03-04

Applicant: Verizon Wireless c/o John Koos,
 Whalen and Company, Inc.
Subject Site: 2745 E. Broadway
Description: A request for a Conditional Use Permit to
 construct a fifty-foot (50'0'') high cellular monopole,
 disguised as a utility pole, and appurtenant equipment.

Joe Recker presented the staff report recommending denial of the request since the proposed antenna would be intrusive to adjacent residential uses, negatively impact the aesthetics of the Broadway corridor, and because it exceeds the height limit allowed and runs counter to the City's active plan to underground utility poles.

John Koos, 970 W. 190th Street #300, Torrance, CA 90502, Verizon, said that the antenna was needed to address service deficiencies in the neighborhood, and that efforts to mount the unit on an existing building had failed, since AT&T owned the existing unit, which could not be added onto due to weight issues. Mr. Koos also presented a sample of the proposed 'skin' for the pole that mimicked typical telephone poles, and said he felt the structure was screened from the public right-of-way and would blend in with existing utility poles. Mr. Koos added that they would agree to remove the installation in ten years, once their initial costs had been recovered, and that they could also lower the pole to 45' or increase its size to accommodate future co-locations. The applicant also claimed that the local homeowners association had been hostile and unwilling to meet to discuss compromises.

In response to a query from Commissioner Moyer regarding undergrounding of existing poles, Mr. Carpenter explained that the first priority was to do that on major streets, not alleys like this.

Commissioner Fields stated that he did not like the idea of such a high installation so close to residences, and he moved to deny the Conditional Use Permit.

Commissioner Whelan expressed disappointment that the existing AT&T installation could not be added to, since he thought the neighborhood was too dense for this request, and he seconded the motion.

Commissioner Moyer suggested that the cellular providers work together to come up with creative ways to address these ongoing issues like they had done in other areas.

Chairman Sramek agreed that these kind of installations had been disguised successfully in other areas.

Commissioner Winn added that did not think the installation was inappropriate, but he liked the idea of pressuring the providers to work together to co-locate creatively.

The question was called and the motion passed 5-0.
Commissioners Greenberg and Hernandez were absent.

R E G U L A R A G E N D A

5. Case No.0303-20, Administrative Use Permit, CE 03-41

Applicant: Dean Ho
Subject Site: 2200 Pacific Avenue
Description: Request to operate a laundromat in the CNP Zone.

This item was taken out of order since it was to be continued.

Geoffrey Ensley, 333 W. Ocean Blvd., council district representative, asked that the item be continued for 60 days to allow other location options to be explored.

Mel Nutter, 200 Oceangate #850, applicant representative, said that the continuation request was a complete surprise; they did not understand the basis for the request, and that a hardship would be created by delaying approval of the AUP.

Dean Ho, 2200 Pacific Avenue, applicant, stated in response to a query from Commissioner Fields that he had not had any interaction with any community groups about the issue.

Mr. Ensley said the councilperson had recently received an 18-signature petition from immediately adjacent business owners asking that the location remain a bank, not a laundromat.

Commissioner Moyer expressed concerns about continuing the item without the consent of the applicant, and noted that he did have the right to develop the property since his request complied with all the necessary findings. Ms. Moyer also stated that she

did not feel it was necessary to succumb to the whim of the neighborhood to prefer a bank, and asked the City Attorney to comment on why this issue had been brought up now and not when the property was being sold.

Ms. Malmsten stated that the Commission had the discretion to continue the item if they so desired.

Commissioner Winn expressed agreement with Commissioner Moyer's sentiments, and noted that banks were pulling out of neighborhoods all over the country because such locations were not financially viable. Mr. Winn added that it was a regrettable situation that the bank was leaving, but that it was too late to make such objections at this point, especially since other banks had already had a chance at the property, and had not taken it.

Commissioner Fields said he was aware of the applicant's property rights, but was concerned that there had been no community outreach to avoid opposition to the idea early in the process.

Commissioner Moyer said she would only support a continuation with the agreement of the applicant, and pointed out that the site had been vacant for a period of years, during which no one in the council district had made any effort to seek another bank tenant.

Chairman Sramek then directed the applicant and council district representative to discuss the matter of continuation, and to return at the end of the agenda to present their conclusions.

3. Case No. 0304-08, Site Plan Review, Standards Variance, CE 03-62

Applicant: Robert Stewart
Subject Site: 4350 E. 7th Street
Description: Request for approval of a Site Plan Review and Standards Variances for the remodeling and re-use of the former Kitano's Nursery building by Musical Theater West for a box office, general office and rehearsal hall.

Carolyn Bihn presented the staff report recommending approval of the project since the building had been vacant for years, and because the triangular shape of the property and its location creates obstacles that prevent full compliance with zoning regulations.

Robert Stewart, 3620 Long Beach Blvd., project architect, stated that they were in agreement with all conditions except the one requiring the removal of the patio for on-site parking spaces and relocation of the trash enclosure, which they would prefer to keep in its current location. Mr. Stewart noted that they had made arrangements with Long Beach Unified School District to use parking near Blair Field so they would not have to remove the patio to comply with the parking requirements.

Harry Saltzgaver, 6280 Lewis Avenue, Board Member, Musical Theatre West, stated that the group enjoyed the support of the Belmont Heights residents and merchants, and that the porch fulfilled a critical rehearsal function.

Commissioner Whelan commended the staff for creatively addressing the issues involved, and he moved to approve the request for a Site Plan Review and Standards Variances, subject to conditions, revised to address the patio and parking spaces issues.

Commissioner Fields seconded the motion, which passed 5-0. Commissioners Greenberg and Hernandez were absent.

4. Case No.0301-15, Standards Variance, Local Coastal Development Permit, CE 03-12

Applicant: Jon Udoff
Appellant: William V. Davidson, Esq.
Subject Site: 52 Neapolitan Lane West
Description: Appeal of the Zoning Administrator's decision to partially approve a Standards Variance and a Local Coastal Development Permit for a new two-story, single family residence with reduced front yard setbacks.

Jayne Mekis presented the staff report recommending denial of the appeal since the applicant has a reasonable expectation to develop the property, and because the project site and shape make it difficult to develop the lot in accordance with zoning requirements. Ms. Mekis also presented photographs demonstrating the line of sight at issue.

William Davidson, 10630 Humboldt Street, Los Alamitos, appellant, said he felt that the variance was inappropriate in keeping with the character of the neighborhood, and would have a dangerous effect on pedestrian and vehicle safety. Mr. Davidson also expressed the opinion that the property could be developed

to code if the applicant would remove 15 square feet to allow safe sight lines at the street area. He added that he did not feel a denial would be a hardship since the applicant knew about the line-of-sight issue when he purchased the property.

Commissioner Winn noted that many nearby homes had high foliage at the front of their properties that could also affect sight lines, and pointed out that since the Commission had been consistent in this area, everyone should be subject to the same requirements. Mr. Davidson said he felt that because of the location of the lot in question, the line-of-sight was especially critical for area traffic.

In response to a request from the Commission, 15 audience members stood up in support of the appeal.

Bill Ridgeway, 5633 Sorrento, applicant representative, stated that the lot was so small that it was difficult to design a house to fit, and that his design did allow a line of sight from the alley to the street. Mr. Ridgeway also noted that the requested 8' setback was much more severe than the 3' setback enjoyed by the majority of the neighbors. He offered to add a foot to the sidewalk to make it safer, and stated that had already doubled the required view corridor.

In response to a query from Commissioner Fields, Mr. Ridgeway stated that they would be willing to keep the landscaping trimmed to 3'.

Jon Udoff, 161 N. Sycamore Avenue, Los Angeles, 90036, project architect, presented photos comparing similar situations to examine visibility and setback issues along the school traffic corridor in question, noting that even with the normal 3' setback along The Toledo, some of the properties actually had a 0' setback to the alley or street.

Mr. Carpenter noted that a number of the photos presented were corner lots with two street frontages, which was a different situation.

Richard Landes, 5621 Corso di Napoli, expressed support for the appeal, stating that the specific location was the only ingress and egress for Treasure Island, and as such needed to have a specific minimum line-of-sight for the safety of pedestrians and vehicles.

Don Sundine, 5571 Corso di Napoli, Neighborhood Watch director, also expressed support for the appeal, saying he felt that the location was a blind and dangerous curve with a history of accidents.

Diane Sherwood, 61 The Colonnade, agreed, saying that even more severe setbacks did not guarantee visibility around corners.

Aleta Guggina, 20 Neapolitan Lane West, agreed with the previous speakers, saying that the dangerous situation at the site could be addressed with conditions disallowing a fence or foliage above 3'.

Robert Markwith, 5657 East The Toledo, also supported the appeal, noting that the street was one-way with a blind curve, and that the hazard created by the site was such that there was always the noise of honking cars in the area.

Appellant Davidson commented that he felt a functional home could be built within code requirements on the site.

Alfredo Ingracia, 240 San Remo, applicant and master builder, said he planned to live in the house.

Mr. Ridgeway suggested that since the neighbors felt it was such a hazardous intersection, his client would be willing to pay to put a stop sign at the location, and he also noted that they were increasing the cutoff at the alley from zero to 12', but that the 8' by 80' front yard was too severe a cut.

Commissioner Whelan said he needed to tour the area to examine the safety concerns brought up, and he moved to continue the item to the June 19, 2003 meeting for further Commission research and to allow staff to collect input from the City Traffic Engineer. Mr. Whelan also suggested that the appellant and applicant work on a compromise in the meantime.

Commissioner Fields seconded the motion which passed 5-0. Commissioners Greenberg and Hernandez were absent.

5. Case No.0303-20, Administrative Use Permit, CE 03-41

Applicant: Dean Ho
Subject Site: 2200 Pacific Avenue
Description: Request to operate a laundromat in the CNP Zone.

Mr. Carpenter noted that the applicant and the community representatives had agreed to a continuance.

Commissioner Winn moved to continue the item to the June 19, 2003 meeting. Commissioner Fields seconded the motion, which passed 4-0. Commissioner Moyer had stepped out, and Commissioners Greenberg and Hernandez were absent.

6. Case No.0303-17, Administrative Use Permit, CE 03-38

Applicant: V. R. Venkataraman
Center for Academic Excellence
Subject Site: 2001 Palo Verde Avenue
Description: Administrative Use Permit to allow establishment of a social service office (tutoring sessions for student groups) in the CNA Zone.

Craig Chalfant presented the staff report recommending denial of the permit since the location would create impacts on traffic, parking, noise and loitering in the neighborhood, and since the size of the space was not large enough to adequately accommodate the use.

V. R. Venkataraman, 909 Electric Avenue, Suite 303, Seal Beach, applicant, outlined the function of his non-profit educational group, and said he enjoyed the support of the majority of area businesses in expanding his operation.

Peter Ursano, 2005 Palo Verde, site landlord, said that his informal survey of the landowners, neighbors and businesses in the area indicated all were in favor of the idea, and he presented to staff a list of changes they would be willing to make to address the issues of windows, limits in class size and parking.

In response to a query from Commissioner Fields, Mr. Carpenter stated that even downsized as listed, the use was still too intense for the size of the lease space.

Commissioner Moyer said she felt the valuable service provided was good for the City, and that she would like to see how these classrooms compare in size to area high schools, when the item returned with Commission-directed findings.

Commissioner Winn agreed that the project was a sorely needed one, but expressed concern about the traffic-intense pick up and drop off times, and he asked the applicant to redesign the

layout to address these issues. Mr. Venkataraman said he could redesign to include an interior reception area to accommodate waiting students.

Karen Kimmel, 6429 Fairbrook Street, expressed concern about the increased traffic and parking especially with older students who might be driving.

Sharon McNeil, 1970 Conquista, said she was against the proposal because it would compromise the safety of the students, especially at night and on weekends, and that she felt there should be more parking and lighting for an operation like this.

John Kemp, 2000 Conquista, adjacent neighbor, noted that although the center was well-maintained, there were already problems with parking, ingress and egress, and that the suggested operation would cause traffic tie-ups that would block the road because of the location of the unit and lack of queuing space.

John McNaughton, representative for Councilman Dennis Carroll, said that they supported Mr. Venkataraman's growing operation but not the location, and that an analysis of the previous use of the site had indicated a large negative impact on the neighborhood in terms of traffic and parking. Mr. McNaughton added that a new parking structure planned nearby will also add traffic, and he offered to help the applicant find another larger location.

Mr. Venkataraman said he only planned to have 25 students at the most, and would add more time between classes for pick up and drop off. He also offered to reduce the operation to a single classroom and use the other room for reception only. Mr. Venkataraman expressed appreciation for the councilman's offer of help, but noted that the current location came in at one-third the cost of other locations offered.

Commissioner Moyer said that she was very familiar with the area and had never seen any traffic or parking problems at the center.

Commissioner Moyer then moved to send the item back to staff for revised findings, adjusting downward the number of students per square foot, and including a traffic report with design of a possible safe loading area on Los Santos or inside the lot. Commissioner Fields said he was impressed by the applicant's willingness to work to address all the issues, and he seconded

the motion, which passed 4-0. Commissioner Whelan had left the meeting, and Commissioners Greenberg and Hernandez were absent.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

**M A T T E R S F R O M T H E D E P A R T M E N T O F
P L A N N I N G A N D B U I L D I N G**

Mr. Zeller announced that he was retiring in August. Mr. Carpenter noted a June study session to include a report from the consultant on self-storage facilities.

**M A T T E R S F R O M T H E P L A N N I N G
C O M M I S S I O N**

There were no matters from the Planning Commission members.

A D J O U R N

The meeting adjourned at 5:21pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk